

ECF CASE
JUDGE STEIN

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

**J & J SPORTS PRODUCTIONS, INC., as
Broadcast Licensee of the May 5, 2007
DeLaHoya/Mayweather Program,**

-against- Plaintiff,

**AFFIDAVIT IN SUPPORT OF
REQUEST FOR DEFAULT**
Civil Action No. 07-CV-8856-SHS-KNF
HON. SIDNEY H. STEIN

CLARISSA VASQUEZ and ERIMELDA
ALMONTE, Individually, and as officers, directors,
shareholders and/or principals of MARACAS
STEAKHOUSE, INC. d/b/a MARACAS
STEAKHOUSE a/k/a MARACAS
RESTAURANT,

and

MARACAS STEAKHOUSE, INC. d/b/a MARACAS
STEAKHOUSE a/k/a MARACAS RESTAURANT

Defendants.

STATE OF NEW YORK :
: SS.:
COUNTY OF ULSTER :

JULIE COHEN LONSTEIN, being duly sworn, deposes and says:

1. That I am the attorney for plaintiff, **J & J SPORTS PRODUCTIONS, INC.**, in the above referenced matter and I am admitted to practice in this Court. I am fully familiar with all the facts, circumstances and proceedings heretofore had herein.

2. This action was commenced pursuant to 47 U.S.C. §605, *et seq.* A copy of the Summons and Complaint was served on Defendant, ERIMELDA ALMONTE, Individually, and

as officers, directors, shareholders and/or principals of MARACAS STEAKHOUSE, INC. d/b/a MARACAS STEAKHOUSE a/k/a MARACAS RESTAURANT, as set forth in the proof of service by Curtis Duncan, ECF Document number 7 and MARACAS STEAKHOUSE, INC. d/b/a MARACAS STEAKHOUSE a/k/a MARACAS RESTAURANT, as set forth in the proof of service by Jessica Miller, ECF Document number 6.

3. The time within which any of the Defendants may answer or otherwise move with respect to the Complaint herein has expired. Defendants ERIMELDA ALMONTE, Individually, and as officers, directors, shareholders and/or principals of MARACAS STEAKHOUSE, INC. d/b/a MARACAS STEAKHOUSE a/k/a MARACAS RESTAURANT, and MARACAS STEAKHOUSE, INC. d/b/a MARACAS STEAKHOUSE a/k/a MARACAS RESTAURANT, have not answered or otherwise moved with respect to the Complaint; and the time for the Defendant(s) to do so has not been extended.

4. Said Defendant(s) are not infants or incompetents. Upon information and belief, Defendant(s) are not presently in the military service of the United States.

WHEREFORE, Plaintiff **J & J SPORTS PRODUCTIONS, INC.**, requests that the default of the Defendant(s) ERIMELDA ALMONTE, Individually, and as officers, directors, shareholders and/or principals of MARACAS STEAKHOUSE, INC. d/b/a MARACAS STEAKHOUSE a/k/a MARACAS RESTAURANT, and MARACAS STEAKHOUSE, INC. d/b/a MARACAS STEAKHOUSE a/k/a MARACAS RESTAURANT, be noted and that judgment be entered in favor of plaintiff and against defendants in the manner stated herein.

Dated: December 24, 2007
Ellenville, NY 12428

Sworn to before me this 24th
day of December, 2007

/S/ Julie Cohen Lonstein

Julie Cohen Lonstein
Bar Roll No. JL8512

/s/ April Draganchuk

April Draganchuk

Notary Public State of New York

Registration No. 4945872

Residing in Ulster County

My Commission Expires Jan. 27, 2011